

IN RE: PETITION FOR ZONING VARIANCE
W/S Ridgely Oak Road, 218' N
of Daytona Avenue
(8108 Ridgely Oak Road)
9th Election District
4th Councilmanic District
Marie J. Garton, et al
Petitioners

BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 90-210-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit existing accessory structures (swimming pool and shed) to remain in the side yard in lieu of the required rear yard and to allow another existing shed to have a side and rear yard setback of 1 foot each in lieu of the required 2.5 feet, as more particularly described in Petitioner's Exhibit 1.

The Petitioners, Marie J. Garton and her son, James Traband, appeared and testified. Appearing as Protestants in the matter were Leonard J. Clotia, Marion Stronski, Mario A. Romagnoli, John B. Meadowcroft and Richard Romagnoli.

Testimony indicated that the subject property, known as 8108 Ridgely Oak Road, consists of 13,500 sq. ft. zoned D.R. 5.5, and is improved with a single family dwelling and numerous accessory structures. Testimony and evidence presented indicated that Petitioners placed an above-ground swimming pool and a 6' x 10' shed in the side yard without benefit of a permit in violation of the zoning regulations. Testimony indicated that another shed, approximately 8' x 16', which has existed on the property for many years, also does not meet current setback requirements. Petitioners are in the process of building an addition to the existing dwelling to accommodate the family's needs. Testimony indicated

there is a great deal of conflict between Petitioners and their neighbors due to the extent of time the front yard has remained in a construction phase without much progress being made on the proposed addition. Petitioners testified that due to the lack of space, the accessory structures cannot be placed in the rear yard as required, thereby necessitating the requested variances.

Mr. Meadowcroft, who resides on the adjoining property, testified in opposition to the location of the pool and the 6' x 10' shed in the side yard. He contends the shed is unsightly and detrimental to his enjoyment of his property. The Protestants indicated they had no objections to the 16' x 8' shed to the rear of the property remaining in its present location. They generally complained regarding the length of time it was taking to construct the proposed addition. It was explained that this hearing was not the proper forum to address such an issue.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance is granted, as hereinafter modified, such use as proposed would not be contrary to the spirit of the B.C.Z.R. and would not result in substantial detriment to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested, as modified, should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 12th day of January, 1990 that a variance to permit the existing shed of 16' x 8' to have a side and rear yard setback of 1 foot each in lieu of the required 2.5 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restriction:

- 1) The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
- 2) Petitioners shall submit photographs of all four sides of the 16' x 8' shed to the Baltimore County Landscape Planner within thirty (30) days of the date of this Order and thereafter, shall landscape the area around the shed as deemed appropriate by the Landscape Planner.

IT IS FURTHER ORDERED that a variance to permit existing accessory structures (swimming pool and 6' x 10' shed) to remain in the side yard in lieu of the required rear yard, be and is hereby DENIED; and,

IT IS FURTHER ORDERED that the swimming pool and 6' x 10' shed shall be removed from the subject property within forty-five (45) days of the date of this Order.

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

AMN:bjs

ORDER RECEIVED FOR FILING

Date 1/12/90
By [Signature]

ORDER RECEIVED FOR FILING

Date 1/12/90
By [Signature]

ORDER RECEIVED FOR FILING

Date 1/12/90
By [Signature]

ORDER RECEIVED FOR FILING

Date 1/12/90
By [Signature]

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(410) 387-3333
J. Robert Harris
County Executive

January 12, 1990

Re: Marie J. Garton
Mr. James C. Traband
8108 Ridgely Oak Road
Baltimore, Maryland 21234

PETITION FOR ZONING VARIANCE
W/S Ridgely Oak Road, 218' N of Daytona Avenue
(8108 Ridgely Oak Road)
9th Election District - 4th Councilmanic District
Marie J. Garton, et al - Petitioners
Case No. 90-210-A

Dear Ms. Garton and Mr. Traband:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been granted in part and denied in part in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

cc: Mr. Leonard J. Clotia
8102 Ridgely Oak Road, Baltimore, Md. 21234
Mr. Marion Stronski
8106 Ridgely Oak Road, Baltimore, Md. 21234
Mr. Mario A. Romagnoli
8116 Ridgely Oak Road, Baltimore, Md. 21234
Mr. John B. Meadowcroft
8118 Ridgely Oak Road, Baltimore, Md. 21234
Mr. Richard Romagnoli
2909 Harford Road, Hydes, Md. 21082

People's Counsel
File

PETITION FOR ZONING VARIANCE
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 90-210-A
The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 400.1 of the Zoning Regulations to allow accessory structures to remain in the side yard in lieu of the required rear yard setback of 2.5 feet, to allow existing shed side & rear setback of 1 ft. in lieu of the required 2.5 ft. to the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

To Be Discussed at Hearing

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: _____
(Type or Print Name)
Signature: _____
Address: _____
City and State: _____
Attorney for Petitioner: _____
(Type or Print Name)
Signature: _____
Address: _____
City and State: _____
Attorney's Telephone No.: _____
Address: _____
Phone No.: _____

Legal Owner(s):
Marie J. Garton
James C. Traband
James Travis Traband
James Travis Traband
(Type or Print Name)
Signature
City and State

8108 Ridgely Oak Road, Baltimore, Md. 21234
Baltimore, Maryland 21234
City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Name
Address
Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 12th day of January, 1990.

that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 1st day of January, 1990, at 10:00 o'clock A.M.

ESTIMATED LENGTH OF HEARING - 1/2 HR. (over)
AVAILABLE FOR HEARING MON./TUESDAY - NEXT TWO MONTHS
ALL OTHER DATE 4 Aug 89
REVIEWED BY: CAM DATE 4 Aug 89
See 89-144AB
Violation

Tracking System		Council District	Election District
Date	Receipt	FEE	Zip Code
Day Month Year	Number	TYPE Identification Number	
01 01 90	01	09 21234	
Petitioner: GARTON + TRABAND		(Middle Initial)	
Property Address: 8108 Ridgely Oak Rd		(Number) (Street)	

BALTIMORE COUNTY, MARYLAND		No. 068373
OFFICE OF FINANCE - REVENUE DIVISION		
MISCELLANEOUS CASH RECEIPT		
DATE: 1-12-90	ACCOUNT: R-01-615-000	
AMOUNT: \$ 35.00		
RECEIVED FROM: MR. JAMES TRABAND		
FOR: Res. Variance		
B 054*****350028 8042	Item # 52	
VALIDATION OR SIGNATURE OF CARRIER		

Young Description
Beginning on the west side of Ridgely Oak Rd 40 feet wide at the distance of 218 feet north of the centerline of Daytona Ave. being lots Nos. 865, 866, and 867 of the subdivision of Highland Park, Block No. 2, Folio No. 18. Also known as 8108 Ridgely Oak Rd. in the 9th Election District. Containing 13,500 square feet.

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

November 20, 1989

Ms. Marie J. Garton
8108 Ridgely Oak Road
Baltimore, MD 21234

RE: Item No. 52, Case No. 90-210-A
Petitioner: Marie J. Garton, et al
Petition for Zoning Variance

Dear Ms. Garton:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may issue a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 867-3391.

Very truly yours,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

Dennis F. Rasmussen
County Executive

Your petition has been received and accepted for filing this
15th day of September, 1989.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

Received By:

James E. Dyer
Chairman
Zoning Plans Advisory Committee

Petitioner: Marie J. Garton, et al

Petitioner's Attorney:

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
County Office Building
Towson, Maryland 21204
(301) 887-3554

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 4, 26, 44, 45, 46, 47, 48, 49, 51, 52, 53, and 55.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Associate II

MSF/lw

Baltimore County
Fire Department
800 York Road
Towson, Maryland 21204-2536
(301) 887-4500

Paul H. Reincke
Chief

AUGUST 10, 1989

Dennis F. Rasmussen
County Executive

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: JAMES CHAVIS TRABAND AND MARIE JOSEPHINE GARTON

Location: WS RIDGELY OAK

Item No.: 52 Zoning Agenda: AUGUST 15, 1989

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *James E. Dyer* Noted and Approved
Planning Group
Special Inspection Division
Capt. Tom Brady
Fire Prevention Bureau

JK/KEK

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner
DATE: November 30, 1989
FROM: Pat Keller, Deputy Director
Office of Planning and Zoning
SUBJECT: Zoning Petition No. 90-210-A, Item 52
Marie J. Garton, et al, Petitioners

The Petitioners request variances to allow the placement of accessory structures. In reference to this request, staff offers the following comment:

A valid hardship appears to exist because of the principal placement of the dwelling on the lot. However, the rearmost shed should be moved in order to maintain the minimum 2.5 feet setback requirement.

As a result of a field inspection, this office is concerned about the dilapidated condition of the existing swimming pool and the construction of an addition to the principal structure which is presently free-standing. It is recommended that a building inspector determine the structural safety security of both the pool and the addition, which is already under construction to determine if they should remain, and the Petitioner should provide to the Zoning Commissioner construction drawings which indicate how the proposed addition will be connected to the existing dwelling.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK:JL:gg1
90210A/ZAC1

RECEIVED
ZONING OFFICE

NOTES

TRACT: BLOCK: CONST 02 PLOT 4 R PLAT 0 DATA 0 ELEC YES PLUM YES
PLANS: TENANT: OWNER
CONTR: OWNER
FUND: SELLER
WORK: CONSTRUCT A TWO STORY ADDITION FRONT OF EXISTING DWELLING 2ND FLOOR TO BE USED FOR 2 BED-ROOMS 1ST FLOOR TO USED AS FAMILY ROOM, DINING ROOM, BATH ROOM AND 1 BEDROOM. 20X36X20= 1240 SINGLE FAMILY

PROPOSED USE: SAME & ADDITION
EXISTING USE: SINGLE FAMILY DWELLING
BLDG. CODE: BOCA CODE
RESIDENTIAL CATEGORY: DETACHED OWNERSHIP: PRIVATELY OWNED
ESTIMATED COST OF MATERIAL AND LABOR: 16,000.00

TYPE OF IMPRV: ADDITION
USE: ONE FAMILY
FOUNDATION: BLOCK
SEWAGE: PUBLIC EXIST
CONSTRUCTION: WOOD FRAME
CENTRAL AIR
BASEMENT: NONE
WATER: PUBLIC EXIST
FUEL: GAS

SINGLE FAMILY UNITS
TOTAL 1 FAMILY BEDROOMS 03
MULTI FAMILY UNITS
EFFICIENCY (NO SEPARATE BEDROOMS): NO. OF 1 BEDROOM:
NO. OF 2 BEDROOMS: NO. OF 3 BEDROOMS OR MORE:
TOTAL NO. OF BEDROOMS: TOTAL NO. OF APARTMENTS:

PAGE 1 OF 2

PERMIT #: B013884

DIMENSIONS - INSTALL FIXTURES
BUILDING SIZE: LOT SIZE AND SETBACKS
GARAGE DISH: FLOOR: 1240 SIZE: 075/075X180/180
POWDER ROOMS: WIDTH: 20 FRONT STREET:
BATHROOMS: 001 DEPTH: 36 SIDE STREET:
KITCHENS: HEIGHT: 20 FRONT SETB: 55'
STORIES: 2 SIDE SETB:
CORNER LOT: 2 REAR SETB:

ZONING INFORMATION
DISTRICT: BLOCK: LAND
PETITION: SECTION: IMPR
DATE: LIBER: 09 TOT:

BALTIMORE COUNTY MARYLAND DEPARTMENT OF PERMITS AND LICENSES TOWSON, MARYLAND 21204

J. R. King
BUILDINGS ENGINEER

BUILDING PERMIT

PERMIT #: B013884 CONTROL #: MR DIST: 09 PREC: 20
DATE ISSUED: 06/13/89 TAX ACCOUNT #: 0907002350 CLASS: 04
PLANS: CONST 02 PLOT 4 R PLAT 0 DATA 0 ELEC YES PLUM YES
LOCATION: 8108 RIDGELY OAK RD
SUBDIVISION: HILLENDALE PARK

OWNERS INFORMATION
NAME: TRABAND, JAMES & MARIE GARTON
ADDR: 8108 RIDGELY OAK ROAD

TENANT:
CONTR: OWNER
ENGR:
SELLER:
WORK:

CONSTRUCT A TWO STORY ADDITION FRONT OF EXISTING DWELLING 2ND FLOOR TO BE USED FOR 2 BED-ROOMS 1ST FLOOR TO USED AS FAMILY ROOM, DINING ROOM, BATH ROOM AND 1 BEDROOM. 20X36X20= 1240 SINGLE FAMILY

BLDG. CODE: BOCA CODE
RESIDENTIAL CATEGORY: DETACHED OWNERSHIP: PRIVATELY OWNED

ESTIMATED \$ PROPOSED USE: SAME & ADDITION
16,000.00 EXISTING USE: SINGLE FAMILY DWELLING

TYPE OF IMPRV: ADDITION
USE: ONE FAMILY
FOUNDATION: BLOCK
SEWAGE: PUBLIC EXIST

BASEMENT: NONE
WATER: PUBLIC EXIST

LOT SIZE AND SETBACKS

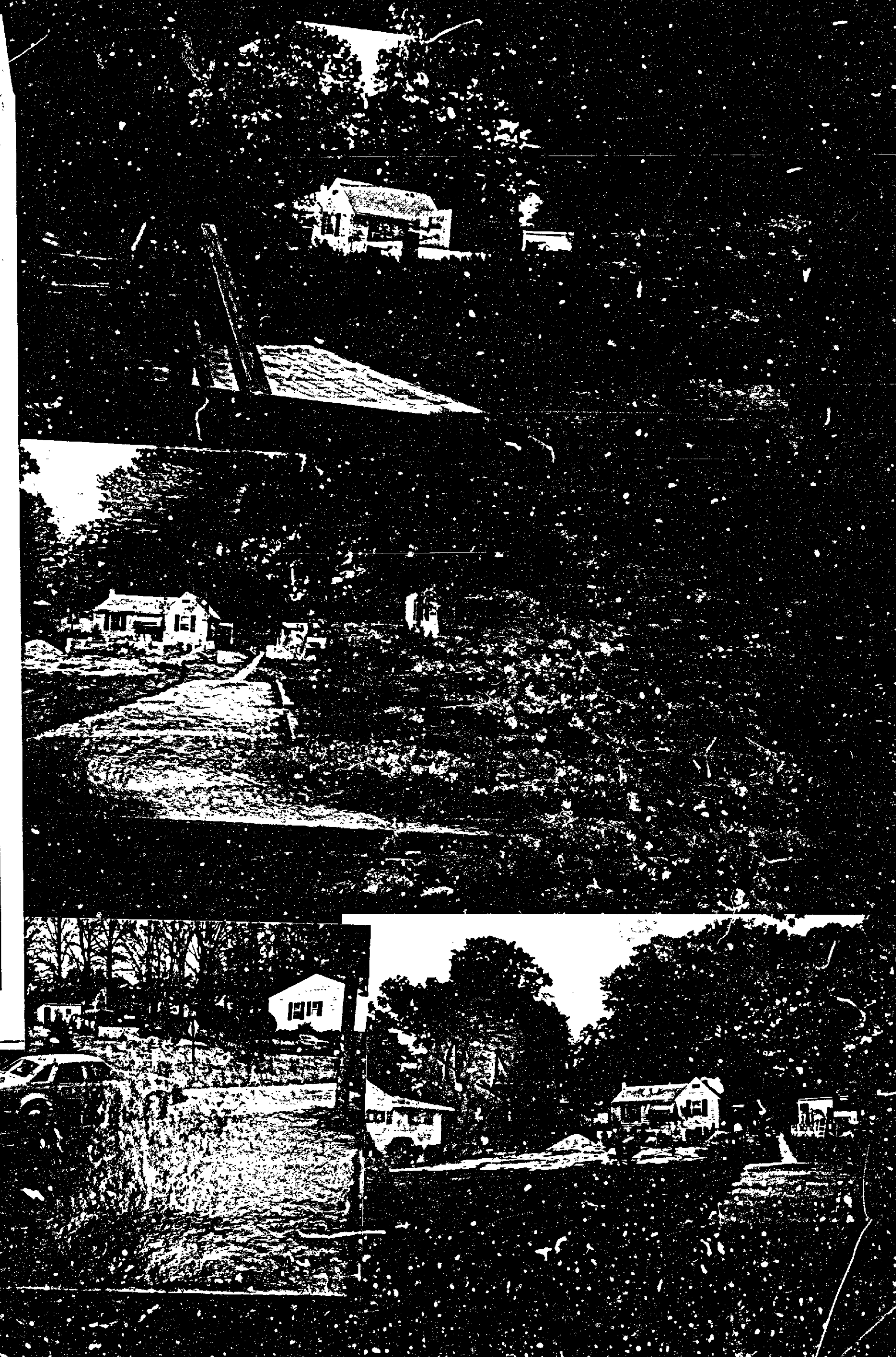
SIZE: 075/075X180/180
FRONT STREET:
SIDE STREET:
FRONT SETB: 55'
SIDE SETB:
SIDE STR SETB:
REAR SETB:

THIS PERMIT
EXPIRES ONE
YEAR FROM DATE
OF ISSUE

PETITIONER'S
PERMIT 2

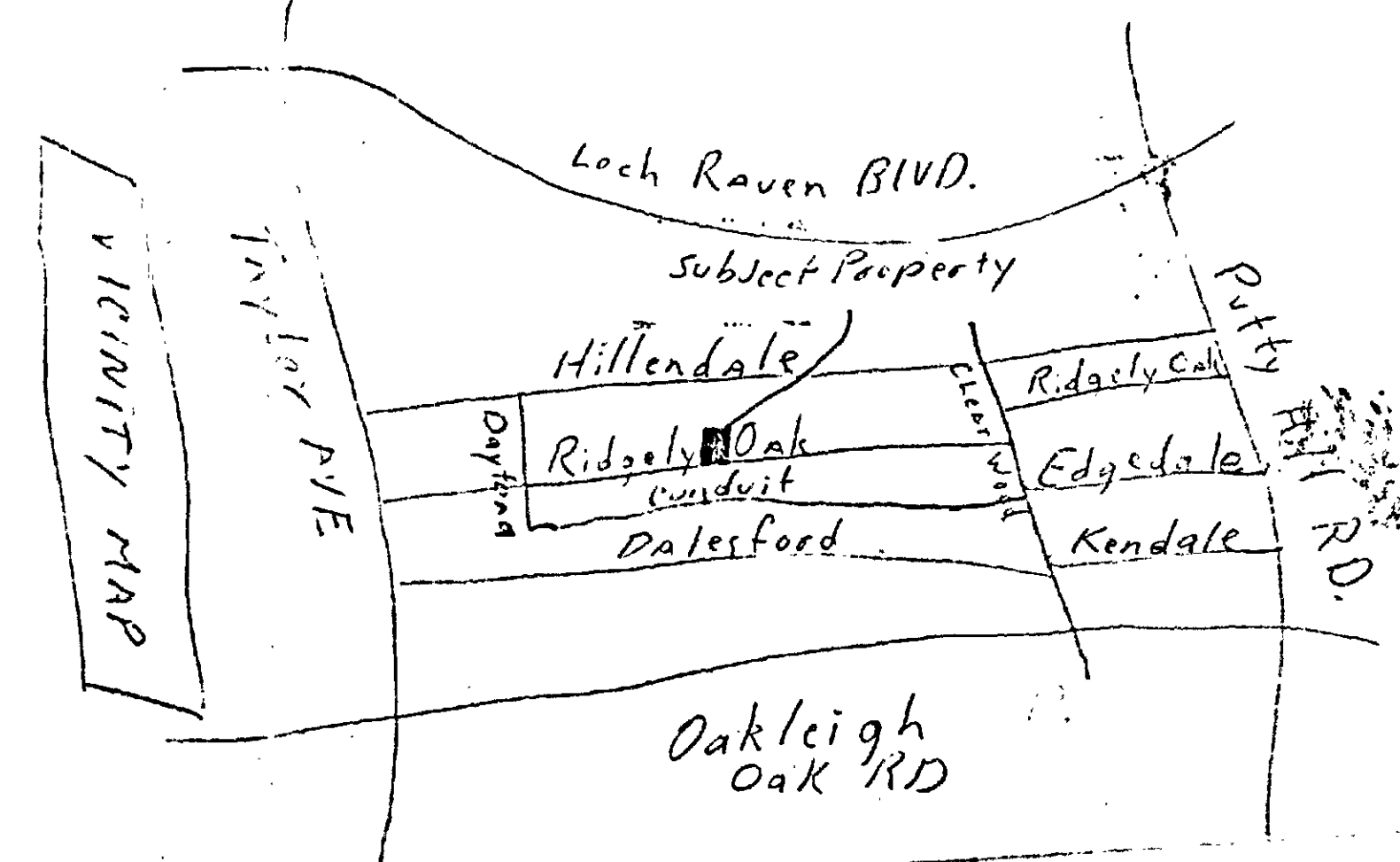
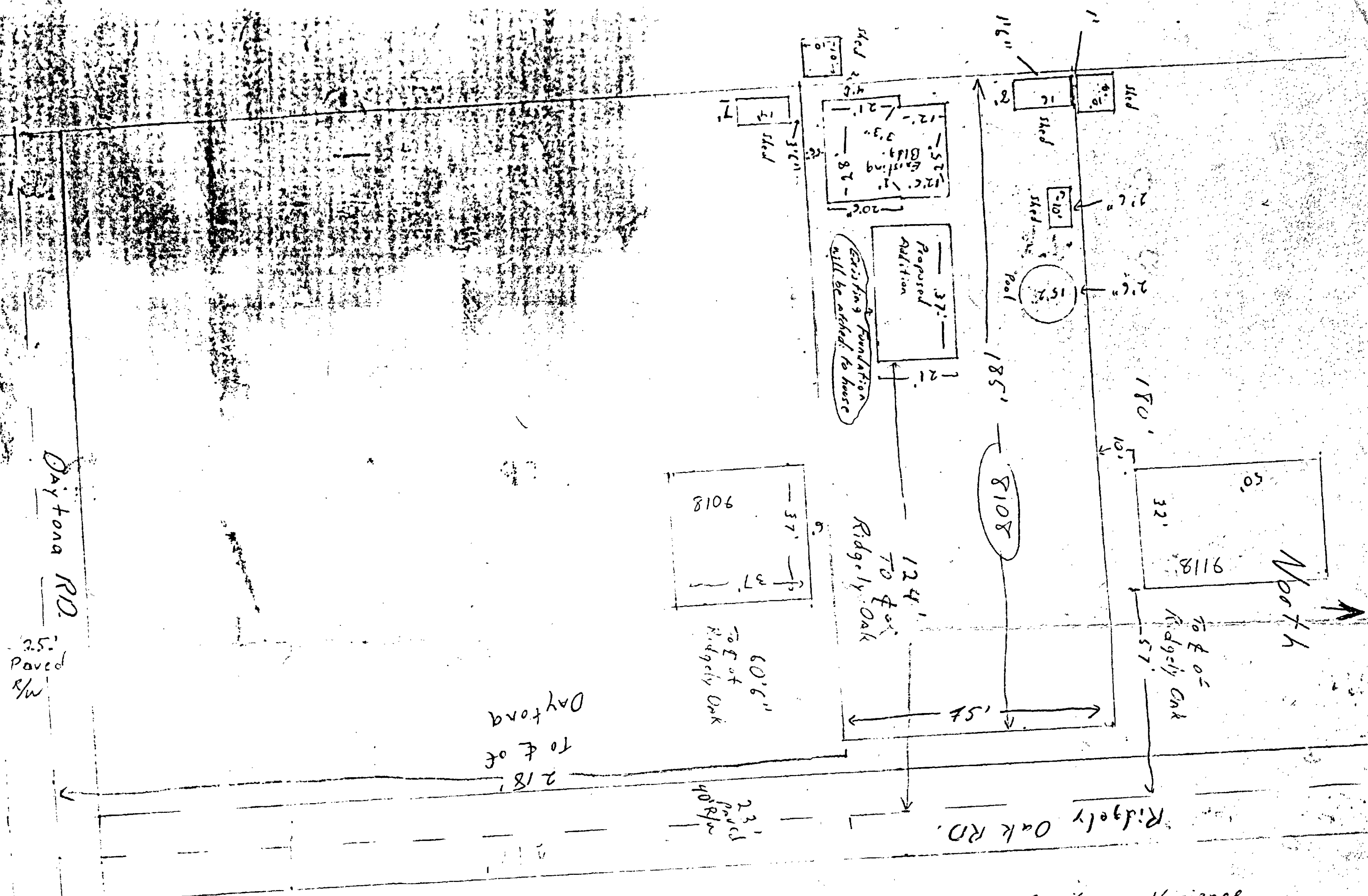
QUIRIES.

Protestant's
Exhibits 14-
16
Case #90-210-A



Plat for Zoning Variance
 Owners - Marie J. Garton & James C. Traband
 Zoned D.R. S.S.
 Subdivision - Hillendale Park
 Lots # 865, 866, and 867. Book # 9. Folio # 10.
 Existing Utilities in Ridgely Oak Rd.
 Scale: 1" = 20'
 Lot Size: 13,500 sq. ft. .304 ac.

#52



PETITIONER'S
 EXHIBIT 1

November 20, 1989

Zoning Board
Baltimore County

Re: Request for Variance @
8108 Ridgely Oak Road
Baltimore, MD 21234

Dear Zoning Board,

We the hereinafter noted residents of the 8100 block of Ridgely Oak Road strongly object to any issuance of the zoning variance requested at 8108 Ridgely Oak Road.

The courts have previously ruled that the structures in question are in violation of the 2-1/2' setback and are also in violation of not keeping the structures to the rear of the main house. In addition to the various structures being in violation to the zoning laws, they are unsightly. It is unfortunate that the main house sets to the back of the lot but the lot is large enough that other options are available to the owners of 8108 Ridgely Oak Road. In lieu of the various structures which are in violation of the setback law, the owners could consider expanding the use of the attic, construction of a basement or attaching to or expanding the side of the main house.

We feel that the issuing of the variance requested is unwarranted and would establish a precedent which would be detrimental to other residents of the community.

Sincerely,

Name: Mike K. Meadows
Signature: [Signature]
Address: 5118 Ridgely Oak Rd

Name: John Richey
Signature: [Signature]
Address: 5118 Ridgely Oak Rd

Name: Marie A. Remington
Signature: [Signature]
Address: 8108 Ridgely Oak Rd

Name: LEONARD J. COTTA
Signature: [Signature]
Address: 8108 Ridgely Oak Rd

Name: Steven J. Stanski
Signature: [Signature]
Address: 8108 Ridgely Oak Rd

Name: Mrs. Irene J. Pankus
Signature: [Signature]
Address: 8108 Ridgely Oak Rd

Name: John F. F. F. F.
Signature: [Signature]
Address: 8108 Ridgely Oak Rd

Name: Stephen J. Stanski
Signature: [Signature]
Address: 8108 Ridgely Oak Rd

DATE 11/15/89

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

Marie Josephine Garton
James Davis Leonard
8108 Ridgely Oak Road
Baltimore, Maryland 21234

Re: Petition for Zoning Variance
CASE NUMBER: 90-210-A
8108 Ridgely Oak, 218' N of Daytona
8108 Ridgely Oak Road
8th Election District - 4th Councilmanic
Petitioner(s): Marie Josephine Garton, et al
HEARING: FRIDAY, DECEMBER 1, 1989 at 10:30 a.m.

Dear Petitioners:
Please be advised that \$14.55 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING ON THE ORDER SHALL NOT BE ISSUED. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

Be advised that should you fail to return the sign & post set(s), there will be an additional \$50.00 added to the above amount for each such set not returned.

Very truly yours,

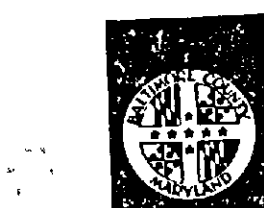
J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

NOTE:
(If "PHASE II" of the "SNOW EMERGENCY PLAN" is in effect in Baltimore County on the above hearing date, the hearing will be postponed. In the event of snow, telephone 887-3351 to confirm hearing date.)

Baltimore County, Maryland
Executive Office
Courthouse Annex
Towson, Maryland 21204
(301) 887-2450
(301) 887-3728 (TDD)

PROTESTANT'S EXHIBIT 3

June 15, 1989



Mrs. Juanita Kelbaugh
8107 Ridgely Oak Road
Baltimore, Maryland 21234

Dear Mrs. Kelbaugh:

In response to your inquiry, I have received information from both the Zoning Office and the Department of Permits and Licenses. The zoning cases which are presently in court have not been closed. The building code case involving the front foundation had been closed on the condition that no further work be done without a permit. Since that time, a permit has been obtained for a two-story addition to the front of the house which will incorporate the existing construction.

Mr. Traband has also been informed of the necessity for a speedy conclusion to his project and stabilizing the bare earth with seed and sod. Inspections will ensure that any necessary reconstruction or repairs to the foundation are made and that all additional work conforms to the building codes.

If you have any further questions concerning any aspect of this matter, please contact either the Office of Zoning at 887-3351 or the Department of Permits and Licenses at 887-3373.

Sincerely,

[Signature]
Dennis F. Rasmussen
County Executive

DFR:brl

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

November 3, 1989

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance
CASE NUMBER: 90-210-A
8108 Ridgely Oak, 218' N of Daytona
8108 Ridgely Oak Road
8th Election District - 4th Councilmanic
Petitioner(s): Marie Josephine Garton, et al
HEARING: FRIDAY, DECEMBER 1, 1989 at 10:30 a.m.

Variance: To allow accessory structures to remain in the side yard in lieu of the required rear yard and to allow existing shed side and rear setback of 1 foot in lieu of the required 2.5 feet.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

(If "PHASE II" of the "SNOW EMERGENCY PLAN" is in effect in Baltimore County on the above hearing date, the hearing will be postponed. In the event of snow, telephone 887-3351 to confirm hearing date.)

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER
BALTIMORE COUNTY, MARYLAND

JRH:gs
cc: Petitioners
File

PROTESTANT'S EXHIBIT 4

BARBARA F. BACHUR
COUNCILWOMAN, FOURTH DISTRICT

June 13, 1989

COUNCIL OFFICE: 887-3359
887-3186

Mrs. Juanita Kelbaugh
8107 Ridgely Oak Road
Baltimore, Maryland 21234

Dear Mrs. Kelbaugh:

Enclosed please find a copy of a memo which I received from Arnold Jablon, County Attorney, in response to the questions which you raised about 8108 Ridgely Oak Road.

As you will note, the Law Office has been monitoring this situation for quite some time and has requested the Court, as a result of the defendants failure to appear in Court May 24th, to issue a "show cause" order for the defendants to show cause as to why they should not be held in contempt of court for failure to appear by June 28th.

On June 28 the Law Office will demand that the Court hear the merits of this matter and will oppose any further continuance. The Law Office will argue that the delays in filing the Petition lie directly with the defendants and that the Court should not await the hearing before and decision of the Zoning Commissioner, but proceed on the merits of the case.

I hope that this response will help alleviate your concerns that the County is not doing all that it can to assist you and your neighbors. In addition, I am awaiting additional responses from both the Zoning Commissioner and Director of Permits and Licenses and will be happy to pass along those replies when I receive them.

In the interim, if I can be of further assistance, please feel free to contact my office.

Sincerely,

[Signature]
Barbara F. Bachur
Councilwoman, Fourth District

BFB:ml
Encl.

COUNTY COUNCIL OF BALTIMORE COUNTY
COURT HOUSE, TOWSON, MARYLAND 21204

June 13, 1989

BARBARA F. BACHUR
COUNCILWOMAN, FOURTH DISTRICT

COUNCIL OFFICE: 887-3359
887-3186

Mrs. Juanita Kelbaugh
8107 Ridgely Oak Road
Baltimore, Maryland 21234

Dear Mrs. Kelbaugh:

Enclosed please find a copy of a memo which I received from Arnold Jablon, County Attorney, in response to the questions which you raised about 8108 Ridgely Oak Road.

As you will note, the Law Office has been monitoring this situation for quite some time and has requested the Court, as a result of the defendants failure to appear in Court May 24th, to issue a "show cause" order for the defendants to show cause as to why they should not be held in contempt of court for failure to appear by June 28th.

On June 28 the Law Office will demand that the Court hear the merits of this matter and will oppose any further continuance. The Law Office will argue that the delays in filing the Petition lie directly with the defendants and that the Court should not await the hearing before and decision of the Zoning Commissioner, but proceed on the merits of the case.

I hope that this response will help alleviate your concerns that the County is not doing all that it can to assist you and your neighbors. In addition, I am awaiting additional responses from both the Zoning Commissioner and Director of Permits and Licenses and will be happy to pass along those replies when I receive them.

In the interim, if I can be of further assistance, please feel free to contact my office.

Sincerely,

[Signature]
Barbara F. Bachur
Councilwoman, Fourth District

BFB:ml
Encl.

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

James C. Traband
MARIE GARTON

8108 Ridgely Oak Rd
8108 RIDGELY OAK RD

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

LEONARD J. COTTA
Marie J. Stanski
Marie A. Remington
John B. Meadows
Richard Stanski

8108 Ridgely Oak Rd
8106 Ridgely Oak Rd
8116 Ridgely Oak Rd
8118 Ridgely Oak Rd
8209 Ridgely Oak Rd

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:
Petition for Zoning Variance
CASE NUMBER: 90-210-A
8108 Ridgely Oak, 218' N of Daytona
8108 Ridgely Oak Road
8th Election District - 4th Councilmanic
Petitioner(s): Marie Josephine Garton, et al
HEARING: FRIDAY, DECEMBER 1, 1989 at 10:30 a.m.
Variance: To allow accessory structures to remain in the side yard in lieu of the required rear yard and to allow existing shed side and rear setback of 1 foot in lieu of the required 2.5 feet.
In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.
In the event of snow, telephone 887-3351 to confirm hearing date.

CERTIFICATE OF PUBLICATION

November 20, 1989

THIS IS TO CERTIFY, that the annexed advertisement was published in the NORTHEAST TIMES BOOSTER and the NORTHEAST TIMES REPORTER, weekly newspapers published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Nov 16, 1989.

NORTHEAST TIMES BOOSTER and the
NORTHEAST TIMES REPORTER

S. Zabe Olson
Publisher

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY

Towson, Maryland

District: Village Date of Posting: 11/14/89

Posted for: Marie J. Stanski & James C. Traband

Petitioner: Marie J. Stanski & James C. Traband

Location of property: 8108 Ridgely Oak Rd, 218' N of Daytona Rd

Location of Sign: Posting Ridgely Oak Rd, 218' N of Daytona Rd

Remark: None

Posted by: [Signature] Date of return: 11/15/89

Number of Signs: 7

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: 8701-4150
Number: 542
90-210

12/01/89
Date: PUBLIC HEARING FEES CITY PRICE
\$00 - POSTING SIGNS / ADVERTISING 1 X \$114.03
TOTAL: \$114.03
LAST NAME OF OWNER: GARTON